



## PATENT COOPERATION TREATY

PCT/JP2005/000303<sup>2</sup>

From the INTERNATIONAL BUREAU

## PCT

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II  
OF THE PATENT COOPERATION TREATY)  
(PCT Rules 44bis.3(c) and 72.2)

To:

KAWAMIYA, Osamu  
AOYAMA & PARTNERS, IMP Building  
3-7, Shiromi 1-chome, Chuo-ku  
Osaka-shi, Osaka 5400001  
JAPON

Date of mailing (day/month/year)

31 August 2006 (31.08.2006)

Applicant's or agent's file reference

664980

## IMPORTANT NOTIFICATION

International application No.

PCT/JP2005/000303

International filing date (day/month/year)

13 January 2005 (13.01.2005)

Applicant

NIPPON PAINT CO., LTD. et al

## 1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

## 2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

## 3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Authorized officer

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外国方式

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 664980	<b>FOR FURTHER ACTION</b>	See item 4 below
International application No. PCT/JP2005/000303	International filing date ( <i>day/month/year</i> ) 13 January 2005 (13.01.2005)	Priority date ( <i>day/month/year</i> ) 14 January 2004 (14.01.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant NIPPON PAINT CO., LTD.		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).																								
2.	This REPORT consists of a total of 7 sheets, including this cover sheet.																								
In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																									
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Box No. I</td> <td style="width: 60%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input checked="" type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input checked="" type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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<input checked="" type="checkbox"/>	Box No. IV	Lack of unity of invention																							
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																							
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<input type="checkbox"/>	Box No. VII	Certain defects in the international application																							
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application																							
4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).																								

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 22 August 2006 (22.08.2006)
Facsimile No. +41 22 338 82 70	Authorized officer  <b>Yoshiko Kuwahara</b>  e-mail: pt07@wipo.int

# PATENT COOPERATION TREATY

TRANSLATION

PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

Date of mailing  
(day/month/year)

Applicant's or agent's file reference

**664980**

**FOR FURTHER ACTION**

See paragraph 2 below

International application No.

**PCT/JP2005/000303**

International filing date (day/month/year)

**13.01.2005**

Priority date (day/month/year)

**14.01.2004**

International Patent Classification (IPC) or both national classification and IPC

Applicant

**NIPPON PAINT CO., LTD.**

1. This opinion contains indications relating to the following items:

- |                                     |              |  |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the opinion   |
| <input type="checkbox"/>            | Box No. II   | Priority   |
| <input checked="" type="checkbox"/> | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability   |
| <input checked="" type="checkbox"/> | Box No. IV   | Lack of unity of invention   |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited  |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application   |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application  |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/000303

Box No. 1      Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

This opinion has been established on the basis of a translation from the original language into the following language

\_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐

a sequence listing

☐

table(s) related to the sequence listing

b. format of material

☐

in written format

☐

in computer readable form

c. time of filing/furnishing

☐

contained in the international application as filed.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/000303

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application

☒ claims Nos. 3-6

because:

☐ the said international application, or the said claims Nos. \_\_\_\_\_  
relate to the following subject matter which does not require an international preliminary examination (*specify*):

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. \_\_\_\_\_  
are so unclear that no meaningful opinion could be formed (*specify*):

☐ the claims, or said claims Nos. \_\_\_\_\_ are so inadequately supported  
by the description that no meaningful opinion could be formed.

☒ no international search report has been established for said claims Nos. 3-6

☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form

☐ has not been furnished

☐ does not comply with the standard

the computer readable form

☐ has not been furnished

☐ does not comply with the standard

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.

☐ See Supplemental Box for further details.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/000303

Box No. IV

Lack of unity of invention

1. ☐ In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has:
- ☐ paid additional fees
  - ☐ paid additional fees under protest
  - ☒ not paid additional fees
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is
- ☐ complied with
  - ☒ not complied with for the following reasons:

(A) Claims 1-6

(B) Reason

The claims of the present international application consist of five independent-dependent groups as follows.

Independent-dependent group 1 (main invention):

- Claims 1 and 2
- The parts of claim 3 that are dependent only on claim 2
- The parts of claims 4-6 that are dependent only on claim 2
- The parts of claims 4-6 that are dependent only on the parts of claim 3 that are dependent only on claim 2

Independent-dependent group 2 (second invention):

- The parts of claim 3 that are dependent only on claim 1
- The parts of claims 4-6 that are dependent only on the parts of claim 3 that are dependent only on claim 1

Independent-dependent group 3 (third invention):

- The parts of claim 4 that are dependent only on claim 1

Independent-dependent group 4 (fourth invention):

- The parts of claim 5 that are dependent only on claim 1

Independent-dependent group 5 (fifth invention):

- The parts of claim 6 that are dependent only on claim 1

With respect to cationic-electrodeposition coating, compositions of the said coating that contain a predetermined amount of resin particles in a predetermined range of mean particle diameters are well known, and commonly used, as described in documents 1-3 listed below.

4. Consequently, this opinion has been established in respect of the following parts of the international application:

- ☐ all parts
- ☒ the parts relating to claims Nos. 1, 2

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/000303

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims		YES
	Claims	1, 2	NO
Inventive step (IS)	Claims		YES
	Claims	1, 2	NO
Industrial applicability (IA)	Claims	1, 2	YES
	Claims		NO
2. Citations and explanations:			
<p>Document 1: EP, 259181, A2 (Nippon Paint Co., Ltd.), 9 March, 1988 (09.03.88) Document 2: JP, 2000-336287, A (Nippon Paint Co., Ltd.), 5 December, 2000 (05.12.00) Document 3: JP, 2-206660, A (Shinto Paint Co., Ltd.), 16 August, 1990 (16.08.90) Document 4: EP, 264834, A1 (Nippon Paint Co., Ltd.), 27 April, 1988 (27.04.88) Document 5: JP, 63-41570, A (Nippon Paint Co., Ltd.), 22 February, 1988 (22.02.88), the claims Document 6: JP, 10-265721, A (Nippon Paint Co., Ltd.), 6 October, 1998 (06.10.98) Document 7: JP, 3-74475, A (Nissan Motor Co., Ltd.), 29 March, 1991 (29.03.91) Document 8: JP, 6-25567, A (Nissan Motor Co., Ltd.), 1 February, 1994 (01.02.94)</p> <p>The subject matters of claims 1 and 2 do not appear to be novel or to involve an inventive step in view of documents 1-8 cited in the ISR.</p> <p>Documents 1-8 describe compositions of cationic-electrodeposition coating that contain a predetermined amount of resin particles of predetermined mean particle diameters.</p>			

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/000303

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

IV.3.

Therefore, it is apparent that at least the subject matter of claim 1 does not appear to be novel or to involve an inventive step. Thus, it is not considered that the technical features described therein are "special technical features" in the sense of the second sentence of PCT Rule 13.2.

Consequently it is not considered that there is a technical relationship among the above-mentioned independent-dependent groups (the main invention and the second to fifth inventions) involving one or more of the same or corresponding "special technical features", and the said groups are not so linked as to form a single general inventive concept.

Document 1: JP, 63-63761, A (Nippon Paint Co., Ltd.), 22 March, 1988 (22.03.88), the claims

Document 2: JP, 2000-336287, A (Nippon Paint Co., Ltd.), 5 December, 2000 (05.12.00), the claims, paragraph [0032]

Document 3: JP, 2-206660, A (Shinto Paint Co., Ltd.), 16 August, 1990 (16.08.90), the claims, page 3, upper right column, page 5, lower left column



**PCT**

NOTIFICATION CONCERNING  
TRANSMITTAL OF COPY OF INTERNATIONAL  
PRELIMINARY REPORT ON PATENTABILITY  
(CHAPTER I OF THE PATENT COOPERATION  
TREATY)

(PCT Rule 44bis.1(c))

From the INTERNATIONAL BUREAU

To:

KAWAMIYA, Osamu  
AOYAMA & PARTNERS, IMP. Building  
3-7, Shiromi 1-chome, Chuo-ku  
Osaka-shi, Osaka 5400001  
JAPON

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**IMPORTANT NOTICE**

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Authorized officer

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